

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARCUS MILLER,

Plaintiff,
v.
Case No. 07-13126
HON. AVERN COHN

DIANE TRAMSKI, TOM RUEDISUELI,
CITY OF PORT HURON, and
ST. CLAIR COUNTY,

Defendants.

/

ORDER ADOPTING AMENDED REPORT AND RECOMMENDATION
AND
GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT
AND
DISMISSING CASE

This is a prisoner civil rights case under 42 U.S.C. § 1983. Plaintiff Marcus Miller, proceeding pro se and in forma pauperis, filed a complaint against defendants claiming false arrest, false imprisonment, assault, malicious prosecution, abuse of legal process, and unspecified violations of the Fourth, Fifth and Fourteenth Amendments.¹ The matter was referred to a magistrate judge for all pre-trial proceedings and before whom defendants filed a motion for summary judgment. On March 9, 2009, the magistrate judge issued an Amended Report and Recommendation (MJRR) recommending that defendants' motion for summary judgment be granted.

¹At the time the complaint was filed, plaintiff was incarcerated at the Gus Harrison Correctional Facility in Adrian, Michigan. He was later transferred to Mound Correctional Facility in Detroit, Michigan. According to Michigan's Offender Tracking Information System, plaintiff was released on parole on November 26, 2008.

Neither party has objected to the MJRR and the time for filing objections has passed. The Court has reviewed the MJRR and agrees with the magistrate judge. Accordingly, the MJRR is ADOPTED as the findings and conclusions of the Court. Defendants' motion for summary judgment is GRANTED. This case is DISMISSED.

SO ORDERED.

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: March 31, 2009

I hereby certify that a copy of the foregoing document was mailed to Marcus Miller, #205913, 1219 Minnesota, Lot # 110, Port Huron, MI 48060 the attorneys of record on this date, March 31, 2009, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5160